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AUG 03 2005

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THIS MESSAGE HAS 10PAGES INCLUDING THIS SHEET

TO: Commissioner of Patents  
 FAX NO.: (571) 273-8300  
 FROM: Kin-Wah Tong, Esq.  
 DATE: August 3, 2005  
 MATTER: U.S. Serial No.: 10/721,864 filed: November 26, 2003  
 DOCKET NO.: 113692CON-2  
 APPLICANT: Charles D. Combs

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

- |  |   |
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| <input type="checkbox"/> Petition for Extension of Time              | <input checked="" type="checkbox"/> Transmittal Letter (2 copies)                                     |
| <input type="checkbox"/> Disclosure Statement & PTO-1449             | <input type="checkbox"/> Fee Transmittal (2 copies)   |
| <input type="checkbox"/> Notice of Appeal                            | <input type="checkbox"/> Deposit Account Transaction  |
| <input checked="" type="checkbox"/> Amendment Under 37 C.R.F. §1.111 | <input checked="" type="checkbox"/> Facsimile Transmission Certificate<br>dated <u>August 3, 2005</u> |
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PTO/SB/21 (08-04)

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number	10/721,864
Filing Date	November 26, 2003
First Named Inventor	Charles D. Combs
Art Unit	2633
Examiner Name	Phan, Hanh
Total Number of Pages in This Submission	113692CON-2

**ENCLOSURES (check all that apply)**

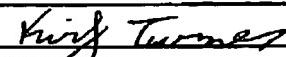
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b> It is believed no fee is due. However, in the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Moser, Patterson & Sheridan, LLP		
Signature			
Printed Name	Kin-Wah Tong, Esq.		
Date	August 3, 2005	Reg. No.	39,400

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Typed or printed name	Kirby Turner
Date	August 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 2/10 \* RCVD AT 8/3/2005 7:53:53 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/25 \* DNIS:2738300 \* CSID:732 530 9808 \* DURATION (mm:ss):03-58

PTO/SB/21 (09-04)

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Typed or printed name	Kirby Turner
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386595 1386595 1

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:  
Combs et al.**

Serial No.: 10/721,864

**Confirmation No.: 6068**

**Filed:** November 26, 2003

**For: FIBER AND WIRE  
COMMUNICATION SYSTEM**

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Group Art Unit: 2633

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**MAIL STOP Amendment  
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August 3, 2005 Kirif A. Turner  
Date Signature

**RESPONSE TO OFFICE ACTION DATED MAY 3, 2005**

In response to the Office Action dated May 3, 2005, having a shortened statutory period for response set to expire on August 3, 2005, please enter this response and reconsider the claims pending in the application for reasons discussed below. Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/ATT113692CON2, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.